

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

SUE POLK, INDIVIDUALLY, AND AS ADMINISTRATRIX  
OF THE ESTATE OF JERRY R. POLK, THE HEIRS  
OF THE ESTATE OF JERRY R. POLK, AND ON BEHALF  
OF ALL WRONGFUL DEATH BENEFICIARIES  
OF JERRY R. POLK

PLAINTIFF

v.

CIVIL ACTION NO.: 1:18-cv-59 HSO-JCG

MAURICO PERAZA, MNE FREIGHT, LLC;  
and JOHN DOES 1-5

DEFENDANTS

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PLAINTIFF'S DESIGNATION OF EXPERT WITNESS

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Pursuant to Federal Rule of Civil Procedure 26(b)(4)(A)(I), Plaintiff, Sue Polk, Individually, and as Administratrix of the Estate of Jerry R. Polk, and on behalf of all wrongful death beneficiaries of Jerry R. Polk, hereby identify and designate the following expert witnesses, who may be used in this litigation, and to testify regarding the matters set forth in the expert reports and disclosures herein at trial or for any permitted purposes including presenting evidence under Mississippi Rules of Evidence 702, 703, or 705.

1. **Brett Alexander**  
ASI Investigations Home Office  
P.O. Box 16181  
Hattiesburg, MS 39404-6181

**A. Identity and Qualifications of the Witness**

Brett Alexander is an expert witness. *See* Brett Alexander's Curriculum Vitae attached as **Exhibit 1**.

Mr. Alexander is expected to provide expert opinion and testimony relating to the crash which occurred on January 3, 2018.



Brett Alexander is an accident reconstructionist in Hattiesburg, Mississippi and is affiliated with ASI Investigations. After graduating high school, Brett attended Pearl River Community College where he received an Associates degree in Criminal Justice. He then attended the University of Southern Mississippi and completed his formal education with a Bachelors of Science degree in Criminal Justice. After graduating, Brett began to work with the Hattiesburg Police Department and except for a brief stint from 1983 to 1985, remained there until his retirement in October 2000. During his employment with the Hattiesburg Police Department, Brett worked in both the Patrol and Traffic Divisions with the majority of his time being spent in the Traffic Division.

In 1989, Brett began his consulting business in accident reconstruction. Since completing his initial training in accident reconstruction, he has attended an additional 33 courses dealing with various aspects in the field for a total of approximately 1000+ hours of specialized training. Brett has been qualified in both state and federal courts in the area of accident reconstruction. To date, he has investigated approximately 3000 to 4000 accidents and reconstructed approximately 1500 to 2000 motor vehicle collisions.

Brett has been tendered and accepted in Mississippi Federal and State District Courts as well as Louisiana State District Court. He is also 1 of 3 reconstructionists in the state of Mississippi to be accredited by the global accident reconstruction organization, A.C.T.A.R.

**B. Subject matter on which Brett Alexander is Expected to Testify**

Brett Alexander will testify on accident reconstruction, causation issues, and downloading and interpretation of "black box data."

**C. Grounds for Opinions**

The grounds for Brett Alexander's testimony are based on the following:

1. Mr. Alexander's education, training, and experience;

2. Mr. Alexander's review of the crash report, photos, calculations, and reconstruction of the crash and review of the black box of each of the vehicles driven by Jerry Polk and Mauricio Peraza.

3. Mr. Alexander's history, examination, observation, testing, and reconstruction related to the crash; and

4. Mr. Alexander's testimony will be based upon the above and based upon a reasonable degree of probability of the causes of the crash.

**2. George Edward Wilkerson, M.D.**

74 Aultman Road  
Sumrall, MS 39482

**A. Identity and Qualifications of the Witness**

Dr. Wilkerson has been a practicing physician since 1974 and is experienced in neurology and psychiatry. A copy of Dr. Wilkerson's Curriculum Vitae is attached to his report.

**B. Subject matter on which Dr. Wilkerson is Expected to Testify**

Dr. Wilkerson will testify regarding the cause of death of Jerry Polk as a result of the crash, the conscious pain and suffering experienced as a result of the trauma of the crash and the physical, mental, and emotional injuries which resulted, and that Jerry Polk suffered tremendously, both physically and psychologically before dying.

See Dr. Wilkerson's report and Curriculum Vitae attached hereto as **Exhibit 2** and **Exhibit**

**3.**

**C. Grounds for Opinions**

The grounds for Dr. Wilkerson's testimony are based on the following:

1. Dr. Wilkerson's education, training, and experience;
2. Dr. Wilkerson's review of the Report of Death Investigation prepared by Dempsey Seals, the medical records of Jerry Randall Polk from Pearl River County Hospital, the

report of AAA Ambulance, photographs taken by the Poplarville Police Department and the accident reconstruction experts, and the eye-witness statements of Cazz Holden and Jessica Wade.

3. **James A. Koerber, CPA/ABV, CVA, CFE, CFF**  
The Koerber Company, P.A.  
103 Madison Plaza  
Hattiesburg, MS 39402

**A. Identity and Qualifications of the Witness**

James A. Koerber is a Certified Public Accountant, Accredited in Business Valuation, Certified Valuation Analyst, Certified Fraud Examiner, and Certified in Financial Forensics. Mr. Koerber has over 30 years experience in public accounting.

A copy of Mr. Koerber's Curriculum Vitae is attached to each of his reports.

**B. Subject matter on which Mr. Koerber is Expected to Testify**

Mr. Koerber will testify regarding the economic damage suffered by the family of Jerry Polk. See Mr. Koerber's report on Jerry Polk and his Curriculum Vitae (Appendix F) attached hereto as **Exhibit 4.**

**C. Grounds for Opinions**

The grounds for Mr. Koerber's testimony will be based on the following:

1. Mr. Koerber's education, training and experience; and
2. See Mr. Koerber's report for Mr. Polk

**RIGHT TO SUPPLEMENT**

In accordance with Rule 26 of the Federal Rules of Civil Procedure, Plaintiff reserves the right to supplement this designation. The right to supplement is also reserved to rebutt the Defendants' expert designations. Plaintiff also reserves the right to call any expert disclosed by any

other party.

Respectfully submitted this the 8<sup>th</sup> day of June, 2018.

Respectfully submitted,

/s/ Samuel S. McHard  
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**CERTIFICATE OF SERVICE**

I, the undersigned do hereby certify that I electronically filed the foregoing with the Clerk of court using the CM/ECF system, which will send notification of such filing to all counsel of record.

THIS the 8<sup>th</sup> day of June, 2018.

/s/ Samuel S. McHard  
SAMUEL S. McHARD, MSB #100295